



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,577	06/14/2001	Dennis Heaton	11098-004	5864

7590 07/06/2004

Steven L. Oberholtzer
BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610

EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 07/06/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,577

Applicant(s)

HEATON, DENNIS

Examiner

LeChi Truong

Art Unit

2126

Period for Reply
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-6 are presented for examination.

Claim Rejections - 35 USC § 112

2. Claim 2 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to claim 2, the term “ sending a password request from the first computer to the second computer” was not described in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer et al (US. 6,151,020).
4. As to claim 1, Palmer teaches the invention substantially as claimed including: a distributed computer network (distributed computing, col 1, ln 10-25), a first computer (a server 10, col 2, ln 55-67/col 3, n 1067/ col 4, ln 1-25/col 5, ln 27-38/ col 8, ln 1-5/ln 30-67), a first data

Art Unit: 2126

display device (a display screen 11, col 2, ln 55-67/col 3, ln 10-67/ col 4, ln 1-25/col 5, ln 27-38/ln 30-67), a second computer (the client A 12 / client B 14, col 2, ln 55-67/col 3, n 1067/ col 4, ln 1-25/col 5, ln 27-38/ln 30-67), a communication link (the conventional computer network, col 2, ln 55-67), data/ the same data(a shared cursor 25, col 3, ln 1-67/ bit maps of information , col 5, n 27-38), real time(real time, col 1, ln 10-25). Palmer does not explicit teach the term first and second storage medium. However, Palmer teaches the term first and second storage medium (first / second data storage medium /the share region 18/ shared application window 24/28, col 2, ln 55-67/col 3, ln 10-67/ col 4, ln 1-25/col 5, ln 27-38/ln 30-67). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to apply the teaching of Palmer because Palmer's shared region/ first / second data storage medium would store the information that will be displayed in both server and client.

5. Claims 2, 3, 4, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer et al (US. 6,151,020) in view of Araki (method for authenticating information receiving person)

6. As to claim 2, Palmer teaches a retrieval request (the audio information 34/40, col 3, ln 1- 67/ pixel format, col 8, ln 30-67).

7. Palmer does not explicit teach the password request, authentication the password. However, Araki teaches the password request, authentication the password (password, authenticate, page 1, ln 19-21/ ln 27-28/ page 2, ln 1-2).

8. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Palmer and Araki because Araki's password, authenticate

Art Unit: 2126

pg would improve the security of Palmer's system by ^{*authenticate*} a client who is going to be a recipient of information.

9. As to claim 3, Palmer teaches performed prior to said retrieving step (the information 34/40 is passed from client to server...audio information is passed from server to client, col 3, ln 1-67).

10. As to claim 4, Araki teaches the term receiving a retrieval request occurs (a CGI script and an html are requested to a server 1, page 1).

11. As to claim 5, Araki teaches the term receiving a retrieval request occurs after said step of sending a password request (a call from client to the server, page 1-2).

12. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer et al (US. 6,151,020) in view of APA (Admitted Prior Art).

13. As to claim 6, Palmer does not teach medical data. However, APA teaches medical data (medical instrumentation, page 1, ln 1-10).

14. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Palmer and APA because APA's medical instrumentation would makes the distributed computer systems that allow remote monitoring of events occurring on another computer more available to use in various areas.

Response to the argument

15. Applicant's letter filed on 1/27/2004 has been considered but they are not persuasive.

Art Unit: 2126

16. In the remarks, applicant argued in substance (1) “ applicant is unclear as to which reference the examiner is applying”

17. Examiner respectfully traversed Applicant’s remarks:

As to point (1), Examiner clearly rejected claims 2, 3, 4 under 35 USC as being unpatentable over Palmer et al in view of Araki (method for authentication information receiving person) see office action page 3, ln 3-8). In additional, from the citation of the reference it’s clear that Araki was the second reference.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100